



**PATENT**  
Attorney Docket No. 213789

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Laurence S. BLAKE et al.

Group Art Unit: 3652

Application No. 10/807,085

Examiner: Charles A. Fox

Filed: March 23, 2004

For: Apparatus for Loading and Unloading a  
Supply of Plates in an Automated Plate  
Handler

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Pursuant to 37 CFR §§ 1.56, 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 and/or Substitute Form PTO-1449 ("Form 1449") are submitted for consideration by the Examiner in the examination of the pending patent application identified above. The references cited in this Information Disclosure Statement have come to the attention of Applicants, in part, in connection with a patent lawsuit captioned *Agfa Corporation v. Creo Products Inc. et al.*, pending in the United States District Court for the District of Massachusetts, CA No. 00 CV 10836-GAO ("the *Agfa* litigation").

In view of the tens of thousands of pages of documents that have been produced in the *Agfa* litigation and/or come to Applicants' attention in connection with the pending U.S. and foreign applications, Applicants have listed many references on Form 1449. As the undersigned explained to Examiner Fox during our telephone conferences, Applicants want to make it clear that they do not wish to overwhelm the Examiner with references that may be cumulative, immaterial and/or irrelevant,<sup>1</sup> but want to insure that they are making a full and complete disclosure and to avoid allegations that they may have withheld material prior art or committed inequitable conduct. Applicants are prepared to provide any further materials available to them or answer any questions about the references or the *Agfa* litigation that the Examiner requests after consideration of the attached references.

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<sup>1</sup> The submission of the references listed on Form 1449 is for the purpose of providing a complete record and is not a concession that any reference represents prior art or is material, relevant or analogous to the invention claimed in the patent application. Accordingly, should it be deemed appropriate to do so, the right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art and to argue that any reference is not material or properly within the scope of prior art relevant to an examination of the claims in the pending application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner initial the appropriate area on the enclosed Form 1449, thereby indicating the Examiner's consideration of each of the references.

### **MPEP GUIDELINES FOR DISCLOSING "INFORMATION FROM RELATED LITIGATION"**

Chapter 2000 of the Manual of Patent Examining Procedure (MPEP) deals with the duty of disclosure by the inventors and other individuals who are substantially involved in the preparation and prosecution of this application. Section 2001.6(c) of that chapter specifically concerns the duty to disclose information from litigation "related" to the pending application. Examples of material information arising from related litigation include evidence of prior public use or sales, questions of inventorship, prior art, allegations of "fraud," "inequitable conduct," and "violation of duty of disclosure." See MPEP 2001.06(c).

MPEP § 2001.06(c) suggests a procedure for disclosing information from "related litigation" in a manner in keeping with the requirements of 37 C.F.R. § 1.56. According to these sections, it is appropriate to bring to the attention of the Patent Office the defenses raised against the patent in the litigation "by filing in the [ ] application a copy of the court papers raising such defenses." MPEP § 2001.06(c) also suggests that, "Enough information should be submitted to clearly inform the Office of the nature of these issues so that the Office can intelligently evaluate the need for asking for further materials in the litigation."

In order to ensure Applicants are complying with the requirements of 37 C.F.R. § 1.56 and in keeping with the guidelines set forth in MPEP § 2001.06(c), Applicants have provided this IDS and the references listed in Form 1449, the recently filed electronic IDS, and are prepared to provide any further information available to them or their assignee, Agfa Corporation, that the Examiner may request.

### **THE AGFA LITIGATION**

In May 2000, the assignee of the patent application, Agfa Corporation, sued certain defendants for patent infringement of the following six patents:

- 1) 5,655,452
- 2) 5,738,014
- 3) 5,788,455
- 4) 5,791,250
- 5) 5,992,324
- 6) 6,000,337

The six patents in suit are generally directed to automated computer to plate devices for making printing plates, automated CTP plate handlers, and methods of making printing plates in automated computer to plate systems. In the Amended Answer, Affirmative Defenses, and Counterclaims, Defendants assert, in part, that the six patents in suit are not infringed, are invalid, and are unenforceable because of inequitable conduct.

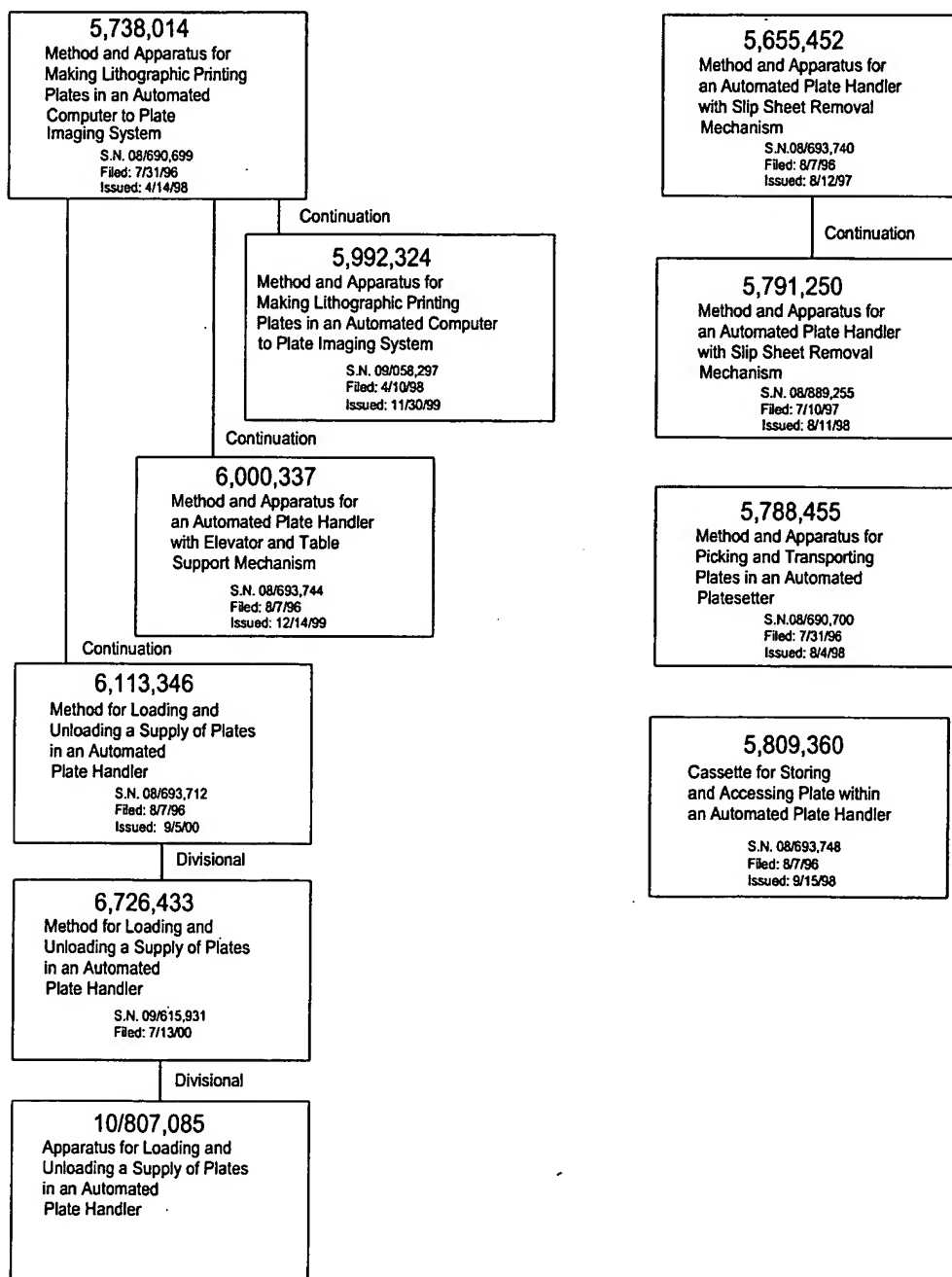
In late 2003, the Court held a trial directed to the unenforceability issues. In August 2004, the Court found that the six patents-in-suit were unenforceable. The pending application is a divisional of U.S. Patent 6,726,433, which is a divisional of U.S. Patent 6,113,346, which is a continuation of U.S. Patent 5,738,014 (one of the patents found unenforceable by the Court). The Court's decision is listed as Reference C-76 on Form PTO1449 and appended hereto. Since there are unresolved issues in the litigation, an appeal of that decision is not yet ripe. Applicants are prepared to provide any further information available to them, including the information referenced in the decision, that the Examiner may request.

(Continued on next page)

### PATENT GENEALOGY

For the Examiner's convenience, Applicants present the following chart, which generally illustrates the patent genealogy of certain patents and the pending application:

### PATENT GENEALOGY



All of the patents and applications are directed to computer to plate devices and methods for making printing plates. The pending application is a divisional of U.S. Patent 6,726,433, which is a divisional of U.S. Patent 6,113,346, which is a continuation of U.S. Patent 5,738,014. The specification, except for the claims and the summary of the inventions, in the pending application and the other patents listed in the genealogy are substantially identical. Copies of the patents listed in the genealogy, as well as the references cited in such patents, are listed in Form 1449.

The references relied upon by the Examiners during the prosecution of the patents in the genealogy include:

- 1) USP 4,354,336 (Azzaroni)
- 2) USP 4,667,948 (Angelbeck)
- 3) USP 4,878,799 (Seto)
- 4) USP 5,074,212 (Kobler)
- 5) USP 5,246,326 (Boutet)
- 6) USP 5,622,362 (Shiiki)
- 7) USP 5,738,014 (Rombult)
- 8) DE 40 38 544 (Krause)
- 9) DE 41 05 269 (Krause)
- 10) EP 526,716 (Boutet)
- 11) DE 31 51 760 (Haver & Boecker)

Applicants have filed foreign patent applications corresponding to the following patents:

- 1) 5,655,452
- 2) 5,699,099
- 3) 5,738,014
- 4) 5,788,455
- 5) 5,809,360
- 6) 5,893,002
- 6) 6,000,337
- 7) 6,084,602
- 8) 6,113,346

The search reports from these foreign patent applications are listed on Form 1449. The references cited in the search reports include:

- 1) U.S. 4,453,708 (Dennhardt)
- 2) U.S. 4,667,948 (Angelbeck)
- 3) DE 40 38 544 (Krause)
- 4) DE 41 05 269 (Krause)
- 5) EP 0 526 716 (Kodak)
- 6) GB 2,068,586 (Cesare)
- 7) Japan Abstracts, Vol. 009, No.. 286 (M-429), 13 Nov. 1985
- 8) JP 60 128 103 (Yasuaki) 9 July 1985

Oppositions were filed against some of the European applications. The references cited in certain oppositions include:

Lithosetter brochure (C8)  
Krause brochure (C32)  
Printweek article (C9)  
Barco press release (C11)  
Seybold Report on Publishing Systems – article (C76)  
Creo brochure (C14)  
Creo brochure (C15)  
Creo service manual (C75)  
Agfa press release (C77)  
Agfa press release (C78)  
Canadian Printer – article (C79)  
Infomex brochure (C36)  
U.S. Patent 4,878,799 (Seto) (electronic IDS)  
German patent DE 40 38 544 and translation (B15)  
German patent DE 41 05 269 and translation (B16)

Copies of the Oppositions and Applicants' responses thereto are available on the website of the European Patent Office, [www.epoline.org](http://www.epoline.org). If desired by the Examiner, Applicants can also provide the oppositions and responses.

### **CONCLUSION**

Applicants believe the claims in the pending application are patentable over the references cited in the Information Disclosure Statements filed in this application and request that this application be passed to issue.

The foregoing information about the Agfa litigation is intended to “clearly inform the Office of the nature of [the defenses in the Agfa litigation] so that the Office can intelligently evaluate the need for asking for further materials in the litigation.” Applicants are prepared to provide any further materials available to them or their assignee Agfa Corporation that the Examiner requests after his consideration of the attached information.

The Information Disclosure Statement is being filed:

- ☒ **within** any one of the following time periods: (a) within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d); (b) within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 of an international application; (c) before the mailing date of a first Office Action on the merits; or (d) before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

- ☐ **after** (a), (b), (c) or (d) above, but before the mailing date of a final action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and includes *one* of:
- ☐ the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below).
- or*
- ☐ the fee of \$180 set forth in 37 CFR 1.17(p) (see "Fees" below).
- ☐ **after** the mailing date of a final action under 37 CFR 1.113 or a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and on or before payment of the issue fee, and includes the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).
- ☐ **after** the mailing date of a Notice of Allowance under 37 CFR 1.311, and on or before payment of the issue fee, and **within** thirty days of receiving each item of information contained in the Information Disclosure Statement, and includes the Statement under 37 CFR 1.704(d) (see "Statement under 37 CFR 1.704(d)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).
- NOTE: This is for original applications except applications for a design patent, filed on or after May 29, 2000, wherein a paper containing only an Information Disclosure Statement in compliance with 37 CFR 1.97 and 1.98 is being filed.

#### Copies of the References

- ☐ Copies of all of the references listed on the enclosed Form 1449 are enclosed herewith.
- ☒ This patent application was filed after June 30, 2003. Accordingly, copies of U.S. patents and patent applications that are listed on the accompanying Form 1449 are not enclosed herewith (see Official Gazette Notice of August 5, 2003). Copies of other references identified on the accompanying Form 1449 are enclosed herewith.
- ☒ Attached to each reference not in the English language is a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3). An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3).
- ☒ A copy of the foreign search report is enclosed herewith.
- ☐ The references listed on the enclosed Form 1449 were previously identified in the parent application(s) of the present application, and copies of the references were furnished at that time. Accordingly, additional copies of the references are not submitted herewith, so as not to burden the file with duplicate copies of references. The Examiner is respectfully requested to carefully review the references in

accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with 37 CFR 1.98(d), the details of the parent application(s) relied upon for an earlier filing date under 35 USC 120 in which copies of the references were previously furnished are set out below:

| U.S. APPLICATIONS |                  | Status ( <i>check one</i> ) |         |           |
|-------------------|------------------|-----------------------------|---------|-----------|
| U.S. APPLICATIONS | U.S. FILING DATE | PATENTED                    | PENDING | ABANDONED |
|                   |                  |                             |         |           |
|                   |                  |                             |         |           |
|                   |                  |                             |         |           |

**Statement under 37 CFR 1.97(e)**

- ☐ The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.
- ☐ The **undersigned** hereby states that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

**Statement under 37 CFR 1.704(d)**

- ☐ The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

**Fees**

- ☒ **No fee** is owed by the applicant(s).
- ☐ The **IDS Fee of \$180** under 37 CFR 1.17(p) is enclosed herewith.

**Method of Payment of Fees**

- ☐ Attached is a check in the amount of \$ .
- ☐ Charge Deposit Account No. 12-1216 in the amount of \$ . (A duplicate copy of this communication is enclosed for that purpose.)



In re Appln. of BLAKE et al.  
Application No. 10/807,085

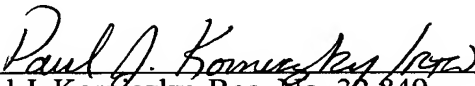


**Authorization to Charge Additional Fees**

- ☒ If any additional fees are owed in connection with this communication, please charge Deposit Account No. 12-1216. (A duplicate copy of this communication is enclosed for that purpose.)

**Instructions as to Overpayment**

- ☒ Credit Account No. 12-1216.  
☐ Refund

  
Paul J. Korniczky, Reg. No. 32,849  
LEYDIG, VOIT & MAYER, LTD.  
Two Prudential Plaza, Suite 4900  
180 North Stetson Avenue  
Chicago, Illinois 60601-6780  
(312) 616-5600 (telephone)  
(312) 616-5700 (facsimile)

Date: October 20, 2004

**CERTIFICATE OF MAILING**

I hereby certify that this INFORMATION DISCLOSURE STATEMENT (along with any documents referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 10-20-04

  
Linda A. Carrera

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Substitute for form 1449A/B/PTO

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

*Complete if Known*

|                        |                |
|------------------------|----------------|
| Application Number     | 10/807,085     |
| Filing Date            | March 23, 2004 |
| First Named Inventor   | BLAKE          |
| Group Art Unit         | 3652           |
| Examiner Name          | Charles A. Fox |
| Attorney Docket Number | 213789         |

|       |   |    |   |
|-------|---|----|---|
| Sheet | 1 | of | 5 |
|-------|---|----|---|

## **FOREIGN PATENT DOCUMENTS**

| Examiner<br>Initials | Doc.<br>No. | Foreign Patent Document |                                 |              | Name of Patentee or Applicant | Date of Publication | Translation |      |
|----------------------|-------------|-------------------------|---------------------------------|--------------|-------------------------------|---------------------|-------------|------|
|                      |             | Office                  | Application or<br>Patent Number | Kind<br>Code |                               |                     | Yes         | No** |

|  |      |     |             |    |                             |          |   |   |
|--|------|-----|-------------|----|-----------------------------|----------|---|---|
|  | B 1  | GB  | 2 068 586   | A  | Azzaroni                    | 8/12/81  |   |   |
|  | B 2  | GB  | 2 281 633   | A  | Gerber Systems Corporation  | 3/8/95   |   |   |
|  | B 3  | EP  | 0 247 772   | A1 | Sony Corporation            | 12/2/87  |   |   |
|  | B 4  | EP  | 0 526 716   | A1 | Eastman Kodak Company       | 2/10/93  |   |   |
|  | B 5  | EP  | 0 538 699   | A2 | Minnesota Mining & Mfg. Co. | 4/28/93  |   |   |
|  | B 6  | EP  | 0 597 545   | A1 | Eastman Kodak Company       | 05/18/94 |   |   |
|  | B 7  | EP  | 0 633 543   | A1 | Scitex Corporation Ltd.     | 1/11/95  |   |   |
|  | B 8  | EP  | 0 750 998   | A2 | Bayer Corporation           | 1/2/97   |   |   |
|  | B 9  | EP  | 0 822 453   | A1 | Bayer Corporation           | 2/4/98   |   |   |
|  | B 10 | EP  | 0 822 454   | A1 | Bayer Corporation           | 2/4/98   |   |   |
|  | B 11 | PCT | WO 92/14609 | A1 | Ballegaard et al.           | 9/3/92   |   |   |
|  | B 12 | PCT | WO 95/06387 | A1 | Intergraph Corporation      | 3/2/95   |   |   |
|  | B 13 | DE  | 31 51 760   | A1 | Haver & Boecker             | 7/7/83   | X |   |
|  | B 14 | DE  | 37 06 046   | C1 | Agfa-Gevaert AG             | 5/26/88  | X |   |
|  | B 15 | DE  | 40 38 544   | A1 | Krause-Biagosch GmbH        | 6/11/92  | X |   |
|  | B 16 | DE  | 41 05 269   | C1 | Krause-Biagosch GmbH        | 9/17/92  | X |   |
|  | B 17 | DE  | 43 07 962   | A1 | Agfa-Gevaert AG             | 9/15/94  |   | X |
|  | B 18 | JP  | 60128103    |    | Nozato Yasuaki              | 9/7/85   | X |   |
|  | B 19 | JP  | 405150435   | A  | Fuji Heavy Ind Ltd          | 6/18/93  | X |   |
|  | B 20 | JP  | 0064928     |    | Nihon Kougaku Kogyo K.K.    | 4/20/82  | X |   |
|  | B 21 | JP  | 06328752    |    | Dainippon Screen Mfg Co Ltd | 11/29/94 | X |   |

|                       |  |                    |  |
|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

\* A concise statement of relevance is being submitted in lieu of a translation. 37 CFR 1.98(a)(3).

+ An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of relevance under 37 CFR 1.98(a)(3).

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|  |                |    |                          |                        |        |
|--|----------------|----|--------------------------|------------------------|--------|
| Substitute for form 1449A/B/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(Use as many sheets as necessary) |                |    | <b>Complete if Known</b> |                        |        |
|  |                |    | Application Number       | 10/807,085             |        |
|  |                |    | Filing Date              | March 23, 2004         |        |
|  |                |    | First Named Inventor     | BLAKE                  |        |
|  |                |    | Group Art Unit           | 3652                   |        |
| Examiner Name  | Charles A. Fox |    |                          |                        |        |
| Sheet  | 2              | of | 5                        | Attorney Docket Number | 213789 |

**OTHER - NON PATENT LITERATURE DOCUMENTS**

| Examiner<br>Initials | Doc.<br>No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number (s), publisher, city and/or country where published. | Translation |      |
|----------------------|-------------|--|-------------|------|
|                      |             |  | Yes         | No** |

|  |      |   |  |  |
|--|------|---|--|--|
|  | C 1  | European Search Report in Bayer Appln. No. 96110187.0, dated 12/8/97  |  |  |
|  | C 2  | European Search Report in Bayer Appln. No. 97201817.0, dated 12/2/97  |  |  |
|  | C 3  | European Search Report in Bayer Appln. No. 97201818.8, dated 12/18/97   |  |  |
|  | C 4  | European Search Report in Bayer Appln. No. 97201819.6, dated 12/18/97   |  |  |
|  | C 5  | European Search Report in Bayer Appln. No. 97201821.2, dated 12/15/97   |  |  |
|  | C 6  | European Search Report in Agfa Appln. No. 97202090.3, dated 7/2/99  |  |  |
|  | C 7  | European Search Report in Bayer Appln. No. 97202199.2, dated 12/15/97   |  |  |
|  | C 8  | Barco Graphics brochure re LITHOSETTER product  |  |  |
|  | C 9  | Articles re Barco and Agfa, <i>Printweek</i> , 3/3/95, pp. 22-23  |  |  |
|  | C 10 | Article re Barco, "Move in the Right Direction," <i>Printworld</i> , Vol. 249, No. 41, 3/13/95, p. 40   |  |  |
|  | C 11 | Press Release, Barco Graphics, "Barco Graphics at DRUPA: An Overview," 3/9/95   |  |  |
|  | C 12 | Brochure re Creo 3244 Platesetter "Digital Plate Production System"   |  |  |
|  | C 13 | Brochure re Creo 3244 Platesetter   |  |  |
|  | C 14 | Brochure re Creo 3244 Platesetter "The Creo Computer-to-Plate Solution"   |  |  |
|  | C 15 | Brochure re Creo 3244 Platesetter   |  |  |
|  | C 16 | Creo Products Press Release re "Creo Products Inc. Develops Large Format Computer-to-Plate Recorders," 2/3/95   |  |  |
|  | C 17 | Creo Products Press Release "Creo Products Inc. Unveils the PlateMaster Digital Plate Production System," 2/3/95                                      |  |  |
|  | C 18 | Creo Products Press Release re "Creo Products Inc. Begins Development of a High Resolution, High Speed, Large Format, Automated Drum Scanner," 2/3/95 |  |  |
|  | C 19 | Creo Products Press Release re "Creo Products Inc. Announces TIFF/IT Support for Computer-to-Plate," 2/3/95   |  |  |
|  | C 20 | Crosfield Brochure re Celix 8000 CTP, April 1995  |  |  |
|  | C 21 | Cymbolic Sciences brochure re "Platejet-Firesetter," 1995   |  |  |
|  | C 22 | Cymbolic Sciences brochure re "Focused on Speed?"/News Release, November 30, 1995   |  |  |
|  | C 23 | Cymbolic Sciences brochure dated re "Obsessed with Quality?", 1996  |  |  |

|                       |  |                    |  |
|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

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Please type a plus sign (+) inside this box →



|  |   |    |   |                          |                |
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|  |   |    |   | Filing Date              | March 23, 2004 |
|  |   |    |   | First Named Inventor     | BLAKE          |
|  |   |    |   | Group Art Unit           | 3652           |
|  |   |    |   | Examiner Name            | Charles A. Fox |
| Sheet  | 3 | of | 5 | Attorney Docket Number   | 213789         |

**OTHER - NON PATENT LITERATURE DOCUMENTS**

| Examiner<br>Initials | Doc.<br>No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number (s), publisher, city and/or country where published. | Translation |      |
|----------------------|-------------|--|-------------|------|
|                      |             |  | Yes         | No** |
|                      | C 2 4       | Dainippon Screen Mfg Co Ltd brochure re "Digital Plate Recorder – PlateRite," March 1995   |             |      |
|                      | C 2 5       | Escher Grad Brochure re "EG-8000 CTP/M Large Format PlateSetter"   |             |      |
|                      | C 2 6       | Escher Grad Brochure re "EG-2300 Newspaper PlateSetter"  |             |      |
|                      | C 2 7       | Gerber News Release re "Gerber Delivers its 25 <sup>th</sup> Crescent/42™ Platesetter to a Chicago-Area Imaging Center," May 1, 1995   |             |      |
|                      | C 2 8       | Gerber Brochure re "The Crescent/42 Platesetter, 1994  |             |      |
|                      | C 2 9       | Gerber Brochure re "Crescent/42 Platesetter™ Computer-to-Plate Technology, 1995  |             |      |
|                      | C 3 0       | Gerber Brochure re "Gerber 2800 PlateSetter™ Computer-to-Plate Technology," March 1, 1996  |             |      |
|                      | C 3 1       | ICG International Brochure re Titan 582 Combination Platesetter  |             |      |
|                      | C 3 2       | Krause Brochure re CTP Digital Technology, May 1998  |             |      |
|                      | C 3 3       | Linotype-Hell Brochure re "Gutenberg Computer-to-Plate from Linotype-Hell," September 1995   |             |      |
|                      | C 3 4       | Misomex AB Technical Specification re Misomex Platesetter 5040, January 15, 1994   |             |      |
|                      | C 3 5       | Misomex AB Press Release re "Misomex Features Advanced Platemaking Systems at Drupa," March 3, 1995  |             |      |
|                      | C 3 6       | Misomex AB Infomex Brochure No. 3, May 1995  |             |      |
|                      | C 3 7       | Optronics Brochure re "PlateSetter™ Aurora High quality computer-to-plate," 1995   |             |      |
|                      | C 3 8       | Optronics Brochure re "PlateSetters," 1995   |             |      |
|                      | C 3 9       | Optronics News Release re "Optronics introduces its PlateSetter™ - Aurora," May 5, 1995  |             |      |
|                      | C 4 0       | Mitsubishi Brochure re "Mitsubishi Graphic Arts System Silver-Digiplater A3200 Platesetter," April 1995  |             |      |
|                      | C 4 1       | Presstek News Release re "Presstek Announces Letter of Intent with Pitman Company to Distribute Presstek's Digital Laser Platemaker," May 5, 1995  |             |      |
|                      | C 4 2       | Presstek Brochure re "Presstek PEARLsetter 52 and 74," May 4, 1995   |             |      |
|                      | C 4 3       | The Seybold Report on Publishing Systems, Vol. 24, No. 11, pp. 1 and 26, February 13, 1995   |             |      |
|                      | C 4 4       | The Seybold Report on Publishing Systems, Vol. 24, No. 12, pp. 1 and 12-14, February 27, 1995  |             |      |

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| Substitute for form 1449A/B/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(Use as many sheets as necessary) |   |    | <b>Complete if Known</b> |                        |        |
|  |   |    | Application Number       | 10/807,085             |        |
|  |   |    | Filing Date              | March 23, 2004         |        |
|  |   |    | First Named Inventor     | BLAKE                  |        |
|  |   |    | Group Art Unit           | 3652                   |        |
|  |   |    | Examiner Name            | Charles A. Fox         |        |
| Sheet  | 4 | of | 5                        | Attorney Docket Number | 213789 |

**OTHER - NON PATENT LITERATURE DOCUMENTS**

| Examiner<br>Initials | Doc.<br>No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number (s), publisher, city and/or country where published. | Translation |      |
|----------------------|-------------|--|-------------|------|
|                      |             |  | Yes         | No** |
|                      | C 45        | The Seybold Report on Publishing Systems, Vol. 24, No. 13, pp. 1 and 21-25 and 32, March 13, 1995  |             |      |
|                      | C 46        | The Seybold Report on Publishing Systems, Vol. 24, No. 15, pp. 1-16 and 25-30, April 14, 1995  |             |      |
|                      | C 47        | The Seybold Report on Publishing Systems, Vol. 24, No. 16, pp. 1-10 and 15-22, April 17, 1995  |             |      |
|                      | C 48        | The Seybold Report on Publishing Systems, Vol. 24, No. 17, pp. 1-36, May 1, 1995   |             |      |
|                      | C 49        | The Seybold Report on Publishing Systems, Vol. 24, No. 20, pp. 1 and 22-50, June 26, 1995  |             |      |
|                      | C 50        | Complaint in <i>Agfa Corporation v. Creo Products Inc. et al.</i> , C.A. 00 CV 10836 (GAO) in the U.S. District Court for the District of Massachusetts, May 1, 2000   |             |      |
|                      | C 51        | Defendants' First Amended Answer, Affirmative Defenses and Counterclaims, in <i>Agfa Corporation v. Creo Products Inc. et al.</i> , C.A. 00 CV 10836 (GAO) in the U.S. District Court for the District of Massachusetts, January 17, 2001                        |             |      |
|                      | C 52        | Plaintiff's Reply to Defendants' First Amended Counterclaims, in <i>Agfa Corporation v. Creo Products Inc. et al.</i> , C.A. 00 CV 10836 (GAO) in the U.S. District Court for the District of Massachusetts, February 12, 2001                                   |             |      |
|                      | C 53        | Docket Sheet, dated April 3, 2001, from <i>Agfa Corporation v. Creo Products Inc. et al.</i> , C.A. 00 CV 10836 (GAO) in the U.S. District Court for the District of Massachusetts, April 3, 2001  |             |      |
|                      | C 54        | Order Denying Motions for Summary Judgment, July 16, 2003  |             |      |
|                      | C 55        | Defendants' Answer, Affirmative Defenses and Counterclaims to Plaintiff's First Amended Complaint, Feb. 1, 2002  |             |      |
|                      | C 56        | Defendants' Objections and Answers to Plaintiff's Second Set of Interrogatories Nos. 15-16, May 29, 2002   |             |      |
|                      | C 57        | Defendants' Motion for Summary Judgment that the Agfa Patents-in-Suit are Unenforceable due to Inequitable Conduct, Dec. 6, 2002   |             |      |
|                      | C 58        | Defendants' Memorandum in Support of Their Motion for Summary Judgment that the Agfa Patents-in-Suit are Unenforceable due to Inequitable Conduct, Dec. 6, 2002  |             |      |
|                      | C 59        | Defendants' Statement of Undisputed Material Facts, Dec. 6, 2002   |             |      |
|                      | C 60        | Declaration of S. Calvin Walden, Dec. 6, 2002  |             |      |
|                      | C 61        | Plaintiff Agfa Corporation's Cross-Motion for Summary Judgment of No Inequitable Conduct, Jan. 10, 2003  |             |      |
|                      | C 62        | Agfa Corporation's Consolidated Memorandum: (1) Opposing Defendants' Motion for Summary Judgment; and (2) Supporting Agfa Corporation's Cross-Motion for Summary Judgment of no Inequitable Conduct, January 10, 2003  |             |      |

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|----------------------|-------------|--|-------------|------|
|                      |             |  | Yes         | No** |
|                      | C 6 3       | Declaration of Philip A. Rombult, Jan. 9, 2003   |             |      |
|                      | C 6 4       | Declaration of C. Clint Bolte, Jan. 9, 2003  |             |      |
|                      | C 6 5       | Declaration of John T. Goolkasian, Jan. 10, 2003   |             |      |
|                      | C 6 6       | Declaration of Edward L. Kelley, Jan. 10, 2003   |             |      |
|                      | C 6 7       | Declaration of Julie Krolkowski, Jan. 10, 2003   |             |      |
|                      | C 6 8       | Declaration of Paul J. Korniczky, Jan. 10, 2003  |             |      |
|                      | C 6 9       | Plaintiff Agfa Corporation's Statement of Undisputed Material Facts on its Cross-Motion for Summary Judgment of No Inequitable Conduct, Jan. 10, 2003  |             |      |
|                      | C 7 0       | Reply Memorandum in Support of Defendants' Motion for Summary Judgment that the Agfa Patents-in-Suit are Unenforceable due to Inequitable Conduct and in Opposition to Agfa's Cross-Motion, Jan. 29, 2003  |             |      |
|                      | C 7 1       | Agfa Corporation's Reply Memorandum Supporting its Cross-Motion for Summary Judgment of No Inequitable Conduct, Feb. 19, 2003  |             |      |
|                      | C 7 2       | Second Declaration of C. Clint Bolte, Feb. 18, 2003  |             |      |
|                      | C 7 3       | Second Declaration of John T. Goolkasian, Feb. 19, 2003  |             |      |
|                      | C 7 4       | Supplemental Declaration of Paul J. Korniczky, Feb. 18, 2003   |             |      |
|                      | C 7 5       | Findings of Fact, Conclusions of Law, and Order for Judgment, August 24, 2004  |             |      |
|                      | C 7 6       | The Seybold Report, Computer-to-Plate Output Comes to Commercial Printing, September 9, 1994   |             |      |
|                      | C 7 7       | Press Release – Agfa Announces Agreement with Creo Products, Inc., April 18, 1995  |             |      |
|                      | C 7 8       | Press Release – Agfa and Creo Structure Agreement to Meet Market's Computer-to-Plate Needs, May 8, 1995  |             |      |
|                      | C 7 9       | Agfa's Expo Showcases "The Digital Future," Canadian Printer, December 1994  |             |      |
|                      | C 8 0       | Platesetter 3244 Service Manual  |             |      |

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